

REBUTTAL TESTIMONY
OF
ALCINDA JACKSON

CONSUMER SERVICES DIVISION
ILLINOIS COMMERCE COMMISSION

IMPLEMENTATION OF SECTION 13-712(g)
OF THE PUBLIC UTILITIES ACT

DOCKET NO. 01-0539

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I. Introduction and Purpose of Testimony

Q. Please state your name and business address.

A. My name is Alcinda Jackson, and my business address is 527 East Capitol Avenue, Springfield, Illinois 62701.

Q. Are you the same Alcinda Jackson who previously filed direct testimony in this proceeding?

A. Yes.

Q. What is the purpose of your testimony?

A. The purpose of my testimony is to respond to testimony presented by Citizens Telecommunications Company ("CTC-Illinois") regarding the Loss Notification ("LN") and Customer Service Record ("CSR") and Ameritech Illinois ("AI") regarding the Loss Notification, Customer Service Record, Unbundled Loop Return ("ULR"), and Local Number Portability ("LNP").

Q. Is a copy of the revised proposed rule attached to your testimony?

A. No. Staff's revised proposed rule is Attachment 7.1 ("Staff's Part 731 Rule") to Exhibit 7.0, the testimony of Samuel L. McClerren.

Q. Does Staff have any comments to make regarding wholesale service quality and the effect of wholesale service on Illinois consumers?

A. Yes. It is Staff's intent to ensure that when a consumer wants to switch telecommunications carriers that there is a smooth and efficient process for the consumer and that the switching process is provided in a timely manner by all

telecommunications carriers. It is not Staff's intent to accuse one carrier or another for not providing certain aspects of wholesale service, but to focus on what is best for the end user customer who is paying for the service that they have requested. Finally, it is Staff's intent to meet the requirements of § 13-902 (c)(3) of the PUA, which requires prompt execution without any unreasonable delay of changes that have been verified by a submitting carrier. Staff also believes that it is the intent of the telecommunications carriers to promptly execute the switching process without any unreasonable delay for their customers, pursuant Section 13-902(c)(3).

II. Staff Response to CTC-Illinois Testimony

Q. CTC-Illinois witness Kenneth Mason expresses concern with the respect to the sophistication of Staff's proposed wholesale service requirements associated with Loss Notification and Customer Service Record. CTC-Illinois Ex. 2.0, p. 18. With respect to these two requirements, does Staff propose or expect wholesale service providers to have sophisticated operational support systems ("OSS")?

A. No. While Staff believes that the optimal solution would be for wholesale service providers to have sophisticated OSS, the standards proposed by Staff in this rulemaking contemplated carriers using a facsimile or a similarly less sophisticated process in transmitting loss notifications and customer service records. It was not Staff's intention, at this time, to require wholesale service

47 providers to incur considerable expense for the installation of a sophisticated
48 OSS, especially when a limited number of access lines are being served.
49

50 **Q. CTC-Illinois believes that since it has not encountered any**
51 **complaints or issues from CLECs regarding Loss Notifications or**
52 **Customer Service Records, the standards should be eliminated for Level 2**
53 **carriers. CTC-Illinois Ex. 2.0, p. 19. Do you agree with CTC-Illinois'**
54 **recommendation for elimination of Loss Notifications and Customer**
55 **Service Records?**

56 A. No, I do not agree. CTC-Illinois specific experience does not necessarily
57 reflect what is happening in the competitive marketplace in general. Further, it is
58 my understanding based upon CTC-Illinois' testimony in this proceeding that
59 CTC-Illinois has limited experience in provisioning wholesale services and that
60 this limited role may explain their more favorable experience. In addition, this is
61 a rule of general applicability for all carriers and not a carrier specific rule. The
62 Loss Notifications and Customer Service Records have been an issue in areas
63 where there is more active competition. There is no guarantee that other carriers
64 or portions of the state will not experience the same problems that have been
65 experienced in the larger urban areas. The knowledge gained through past
66 problems can be used to implement standards to ensure minimum wholesale
67 service quality for the consumers of the state that are emerging or awaiting
68 competition. It is imperative that definitions, standards, and remedies be
69 developed, so that consumers wishing to switch telecommunications carriers

70 experience a prompt execution without any unreasonable delay, pursuant to
71 Section 13-902(c)(3). A delay in transferring a customer service record will delay
72 a consumer from promptly receiving telecommunications service from their
73 chosen provider and possibly prohibiting the consumer from receiving added
74 benefits, such as savings, improved service, or more advanced services. A
75 delay in processing a Loss Notification will result in a consumer being billed by
76 two carriers at the same time, because the carrier losing the customer will not be
77 aware that the customer has chosen another carrier to provide it service. Loss
78 Notification has also been an issue in areas where competition is more prevalent
79 and the subject of a complaint before the Commission in Docket No. 02-0160.

80
81 **Q. Did CTC-Illinois provide any testimony that the company did not**
82 **have the capability to issue the Loss Notification or provide the Customer**
83 **Service Record to a competitive local exchange carrier (“CLEC”)?**

84 A. No. CTC-Illinois did not provide any testimony that the company did not
85 have the manual capability or that it was infeasible to issue the Loss Notification
86 or provide the Customer Service Record to a CLEC. Their only basis was that
87 they have not received any complaints from CLECs. The complaints, however,
88 will not come only from CLECs, but also from consumers complaining about the
89 amount of time consumers have had to wait to receive service from their new
90 carrier, which would probably call the CLEC to complain not CTC-Illinois. In
91 addition, it is Staff’s goal that this rule will enable all carriers to be able to state,
92 as CTC-Illinois has stated with regard to CLEC complaints, that they have

received no complaints regarding Line Loss Notifications and Customer Service Records.

Q. CTC-Illinois states that it has not experienced much wholesale interconnection activity in its exchanges and that as part of the acquisition of Illinois exchanges from Verizon assumed several existing interconnection agreements. CTC-Illinois Ex. 2.0, pp 4-5. Does Staff believe that CTC-Illinois' service will always be status quo?

A. Competition has been minimal outside of the larger urban areas in Illinois. That, however, does not mean that competition may never reach CTC-Illinois' service territory. CTC-Illinois became a telecommunications service provider in Illinois through the purchase of certain Verizon and Frontier Exchanges. Staff cannot ignore the possibility that competition may move to smaller urban areas or CTC-Illinois may purchase more exchanges in Illinois that experience more competitive activity, thus necessitating the definitions and standards proposed by Staff.

Q. Is Staff aware of any carriers who have received complaints from consumers as a result of not receiving an accurate or timely line loss notification from an incumbent local exchange carrier ("ILEC"), resulting in the consumer being double billed or continued to receive bills from the previous carrier after they had switched to another carrier?

A. Yes. Staff issued a data request to certain intervenors in this docket requesting a schedule summarizing, on a monthly basis for the period January 1,

2001, to present, the total number of customers who, as a result of the carrier not receiving an accurate or timely line loss notification from an ILEC, were double billed by the carrier or continued to receive bills from the carrier after they switched to another carrier. McLeodUSA responded that it has received 47 – 171 complaints over a 16-month period and issued monthly credits that ranged from \$678 to \$17,774. Allegiance Telecom of Illinois stated that it has billed end users after they were switched to another carrier due to lack of receipt of a timely ILEC line loss notification, but does not maintain records in such a way to identify the number of customers who were billed after leaving Allegiance’s service.

III. Staff Response to Ameritech Illinois Testimony

A. Customer Service Records

Q. Ameritech Illinois (“AI”) witness Spieckerman’s testimony recommends that Staff’s proposed standard and remedy for Customer Service Records apply to all local exchange carriers. AI Ex. 3.0 pp. 3 - 8. Have consumers experienced difficulty in switching from one carrier to another?

A. Yes. It is Staff’s understanding that many things happen when a consumer places a request to switch from one carrier to another, but that one of the first requests is to request the customer service record. If a carrier has a sophisticated computerized system, carriers can go into the system and pull the

customer service record and begin conversing with the consumers. If it is a manual system, however, the carrier has to send a request for the customer service record and then wait for the record to be sent to them before conversing with the consumer. In some instances, consumers have been told that it could take 30, 45, or 60 days (or even longer) to switch from one carrier to another. These delays are difficult to explain to consumers and for consumers to understand, especially when it takes less time to make a major purchase, such as buying a car or a house. Switching a consumer from one carrier to another should be transparent to allow for a full functioning marketplace.

Q. Why is it important for a carrier to receive a customer's CSR prior to switching?

A. The telecommunications carrier needs the most up to date information about its new customer, so that the customer is not inconvenienced by having to recite all of the specifics relating to receiving telecommunications service that is already on record. Even if a carrier may have formerly served this customer, the CSR needs to be provided, so that new or revised customer information is available to the new carrier. The availability of the CSR, prior to serving the customer, allows the new telecommunications carrier to review the services and features that the customer has previously used and allows the customer to reassess the services and features for continued use. It also allows a customer to change or delete any services and/or features, because of increased costs of the product(s) or the customer no longer wants the product or service.

Q. Does Staff support the implementation of the CSR on all of the levels of local exchange carriers as recommended by AI in this docket?

A. No. Staff believes that the standard, benchmark, and remedy for CSR only applies to Level 2, which was provided for in ICC Staff Ex. 1.0 and should be added to Level 4 carriers, which Staff has included in ICC Staff Ex. 7.1. The preexisting plans of the Level 1 carriers already include a standard, benchmark, and remedy for the CSR, that are consistent with the benchmark proposed by Staff.

B. Unbundled Loop Return

Q. AI witness Spieckerman's testimony recommends that a written firm order commitment ("FOC") be included in Staffs' proposed rule to address the problems with telecommunications carriers not returning unbundled loops once a customer has requested service to be disconnected or moved. AI Ex. 3.0 pp. 3, 10 - 13. Does Staff agree with AI's recommendation?

A. No. Staff does not believe that a FOC needs to be implemented for the unbundled loop return. In this instance, Staff believes that the FOC could impose a burden on the returning carrier, by creating an unnecessary step in the process.

185 **Q. Ameritech recommends a FOC for the unbundled loop return, but did**
186 **not recommend a standard for the actual return of the unbundled loop. *Id.***
187 **Does Staff believe that there needs to be a standard for the return of the**
188 **unbundled loop?**

189 A. Yes. Staff believes that the process of returning an unbundled loop needs
190 to have a standard for the actual return of the loop to ensure that the loop is
191 returned to complete the process. Staff believes that the unbundled loop should
192 be returned 24 hours after the loss of the customer utilizing that particular loop.

193
194 **Q. Why does Staff believe that there needs to be a standard for the**
195 **return of the unbundled loop?**

196 A. Staff believes that it is necessary for the unbundled loop to be returned,
197 but Staff's reasons are not necessarily the same reasons discussed by
198 Ameritech. Consumers have experienced difficulty in getting service terminated.
199 In the days of monopoly telephone service, consumers could call their carrier and
200 request service to be terminated the next day or the next week and no follow up
201 with the carrier was necessary. Today, consumers call their carrier and request
202 service to be terminated or moved and a couple of different things can happen:
203 (1) the termination may not happen for an extended period of time, requiring the
204 consumer to make follow up calls to the carrier to ensure that the service was
205 terminated or moved; or (2) the consumer terminates service with a carrier in
206 order to switch to another carrier and the carrier will not release the line so that

the consumer can switch to another carrier, requiring the consumer to make follow up calls and/or wait for an extended period of time to receive service.

Q. Please explain the problems that exist for consumers whose service is not terminated immediately?

A. Consumers experience problems when moving out of a dwelling and the line is live when the new individual moves in, which presents two problems for consumers: (1) the new tenant can use the previous tenants service and run up the telephone bills; or (2) the new tenant wants service with a specific carrier, but does not know who the current carrier is or has difficulty finding out who is the current carrier providing service to the dwelling. These problems require the consumer to make numerous calls to different carriers or track down the right carrier, previous tenant or landlord (if he knows), to find out which carrier is providing the service.

Q. Please explain the problems that exist for consumers who experience problems getting their line released so that they can switch to a different carrier.

A. Consumers are experiencing problems when trying to switch from one carrier to another carrier and cannot get their lines released from their current carrier so that they can move their service to a new carrier. This results in numerous calls to the carrier and to the Commission. It appears that the consumer's current carrier is holding the consumer hostage. Consequently, the

worst-case scenario for a consumer who requires service switched immediately is to have to incur the cost to have new inside wire and receive a new telephone number. Consumers should not be required to incur this expense or inconvenience in order to switch telecommunications carriers. Staff does not believe that this is the intent for wholesale service quality or competition, nor is it compliant with Section 13-902(c)(3) of the PUA, which requires prompt execution of the switching process without any unreasonable delay of changes.

Q. Please provide an example of a consumer's experience in trying to make a switch from one carrier to another carrier.

A. This example that I will provide was sent to the Consumer Services Division from the Governor's Office requesting intervention on behalf of a consumer. Any type of identification of the complainant and carriers has been removed from the complaint. The complaint states:

I was really messed over by XXX so [I] switched to YYY and [I] went to move and YYY told me [I] have to switch back to XXX and have switch the phone to my new address and then switch back to YYY. I said forget that, and now I can't get phone service at my new location, and I am going to pay my bill at XXX but all that is such a hassle. I can't be without a phone I am the coordinator for our city's emergency services and disaster agency...

Q. Is Staff aware of any reason why a carrier would need to retain the loop, rather than return it to the underlying carrier?

A. No. Staff knows of no reason why a carrier would need to retain the loop. It is Staff's understanding that even if a carrier immediately obtains a new customer to replace the loss of another customer, that the recently vacated loop could not be utilized, as the underlying carrier would still have to assign the loop.

Q. How can the implementation of a standard for Unbundled Loop Return help to eliminate problems for consumers trying to terminate service?

A. Implementation of a standard for the unbundled loop return will help to ensure that a customers' service is terminated and terminated by a specific date, which should also cease the billing.

Q. Does the non-release of the unbundled loop have a specific impact on consumers when switching from one competitive local exchange carrier ("CLEC") to another CLEC?

A. Yes, in some instances. For example, if a consumer wants to switch from one CLEC to another CLEC, it has been recommended by the CLEC for the consumer to first establish or re-establish service with the ILEC and then switch to the new CLEC. This results in the consumer having to incur additional costs and time establishing service with the ILEC before requesting to be switched to

the new CLEC. Again, Staff does not believe that this is the intent of the wholesale service quality rules, nor is it compliant with the prompt execution of the switching process as stated in Section 13-902(c)(3) of the PUA.

C. Local Number Portability (“LNP”)

Q. Ameritech recommends that a FOC be established for a LNP to give consumers the freedom to move from carrier to carrier without losing their telephone number. AI Ex. 3.0, p. 9. Does Staff believe that Ameritech’s recommendation is reasonable and beneficial to consumers?

A. It appears that the LNP would be beneficial to customers by providing a means for a smooth and guaranteed transfer of a consumer’s telephone number when moving from one carrier to another. However, Ameritech describes the reason for the LNP, but does not provide any proof that the LNP is a problem. Nor was a definition provided for LNP. Staff is currently not aware of any issues with the LNP.

IV. Conclusion

Q. Do you have any additional comments regarding wholesale service quality?

A. Yes. In the eyes of a consumer, the process of switching from one carrier to another carriers should be a very simple process – call a carrier and ask for their service. However, after that call is placed, a very complex behind the scene

process begins, which includes numerous interactions by the carriers and various timeline(s) for the different steps in the customer switching process. Consumers are not aware of the all of the processes, standards, benchmarks, and the trading of information between carriers that exists for wholesale service quality and switching from one carrier to another. This results in consumers erroneously placing the blame on the wrong carrier or the appearance that a carrier is at fault when there is an underlying problem that is total unknown or foreign to consumers. Consequently, if a consumer experiences a delay or difficulty in switching from one carrier to another, they may never try to switch to another carrier again, thereby losing the ability to possibly save money or subscribe to a calling plan that better suits their need, or receive more advanced services, because of a bad experience, thus harming competition. It is Staff's belief that this rulemaking will allow consumers to switch carriers promptly without unreasonable delay, thus helping competition and consumers.

Q. Does this complete your direct testimony?

A. Yes, it does.